

BEFORE THE PUBLIC UTILITIES COMMISSION OF THE STATE OF CALIFORNIA

Investigation on the Commission's own motion into the operations, practices, and conduct of Pacific Bell Wireless LLC dba Cingular Wireless, U-3060, U-4135 and U-4314, and related entities (collectively "Cingular") to determine whether Cingular has violated the laws, rules and regulations of this State in its sale of cellular telephone equipment and service and its collection of an Early Termination Fee and other penalties from consumers.

Investigation 02-06-003
(Filed June 6, 2002)

**ADMINISTRATIVE LAW JUDGE'S RULING GRANTING MOTION
FOR LEAVE TO FILE COMMENTS ON RESTITUTION PLAN**

By joint motion filed on January 21, 2005, the Commission's Consumer Protection and Safety Division and Utility Consumers' Action Network requested leave to file comments and recommendations on the restitution plan that Cingular Wireless has prepared under the order of Decision (D.) 04-09-062. The decision charges the Commission's Telecommunications Division to monitor implementation of the plan. I will grant the motion and refer the comments, which are attached to the motion, to the Director of that Division. This ruling is issued under the authority of Rule 45(h) of the Commission's Rules of Practice and Procedure, which permits a ruling on a motion before responses or replies are filed.

IT IS RULED that the January 21, 2005 motion of the Commission's Consumer Protection and Safety Division and Utility Consumers' Action Network for leave to file joint comments and recommendations on Cingular Wireless' restitution plan is granted.

Dated January 25, 2005, at San Francisco, California.

/s/ JEAN VIETH

Jean Vieth
Administrative Law Judge

CERTIFICATE OF SERVICE

I certify that I have by mail, and by electronic mail to the parties who have provided an electronic mail address, this day served a true copy of the original attached Administrative Law Judge's Ruling Granting Motion for Leave to File Comments on Restitution Plan on all parties of record in this proceeding or their attorneys of record.

Dated January 25, 2005, at San Francisco, California.

/s/ ELIZABETH LEWIS
Elizabeth Lewis

N O T I C E

Parties should notify the Process Office, Public Utilities Commission, 505 Van Ness Avenue, Room 2000, San Francisco, CA 94102, of any change of address to insure that they continue to receive documents. You must indicate the proceeding number on the service list on which your name appears.

The Commission's policy is to schedule hearings (meetings, workshops, etc.) in locations that are accessible to people with disabilities. To verify that a particular location is accessible, call: Calendar Clerk (415) 703-1203.

If specialized accommodations for the disabled are needed, e.g., sign language interpreters, those making the arrangements must call the Public Advisor at

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(415) 703-2074, TTY 1-866-836-7825 or (415) 703-5282 at least three working days in advance of the event.